

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT  
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT - FISCAL YEAR 2010**

This year-end report from the Department of Natural Resources and Environment (DNRE), Air Quality Division (AQD), is required to detail emissions control fund appropriations. The information is organized as directed by Section 5522(9) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

A) A total of 137 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 72 full-time equated positions performed these activities in the Title V Program as defined in Section 5501 of Act 451. The other 65 full-time equated positions performed enforcement, compliance, and permitting activities in the non-Title V Program.

**B) Permits to Install:**

i. There were 419 permits-to-install applications received in fiscal year (FY) 2010.

ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	1,153
Applications approved.	404
Applications denied.	3
Applications and permits voided (47 of which were due to issuance of Renewable Operating Permits).	746

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	24
Number <b>not</b> required to complete public participation before final action.	380

iv. The average number of final permit actions per reviewer (full-time equated) is 50.

Permits to Install		Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by the DNRE.	96%	402
vi.	Applications reviewed for technical completeness within 30 days of receipt by the DNRE.	91%	365
vii.	Applications submitted to the DNRE that were administratively complete as received.	83%	346
viii.	Applications for which a final approval was taken within 60 days of receipt of a technically complete application for those not required to complete public participation or within 120 days if public participation was required.	93%	376

**C) Renewable Operating Permit (ROP) Program:**

i. A total of 49 ROP applications were received in FY 2010.

ii.

ROP - Final Actions	Total Number
Final action taken on ROP applications.	78
Applications approved.	46
Applications denied.	0
Applications voided (withdrawn by the applicant).	3

ROP	Percentage	Total Number
iii. Permit applications initially processed within the required time.	57%	4
iv. Permit renewals processed within the required time.	59%	42
Permit modifications processed within the required time.	0%	65*
v. Permit applications re-opened by the DNRE.	0%	0
vi. General permits issued by the DNRE.	n/a	n/a

\* NOTE: Due to a focus on assessments for multiple coal-fired power projects, support staff was unable to finalize draft ROPs and send them to the U.S. Environmental Protection Agency (EPA) for the 45-day review. Of the 65 applications received, 0 were approved, 12 were voided, and 53 are on hold to be incorporated into the ROP at renewal. Due to a reduction in force (RIF), 53 applications have been placed on hold.

**D)** There were 353 Violation Notices sent during FY 2010.

**E)** Penalty money collected from all consent orders and judgments was \$994,719.40.

**F)** Enforcement actions that included payment of penalty:

Company Name	Corrective Actions
W Industries	Consent Order AQD No. 17-2009
Michael Davis Jr.	Consent Order AQD No. 18-2009
Demmer Corporation	Consent Order AQD No. 19-2009
Scio Properties, LLC	Consent Order AQD No. 20-2009
Kime Commercial Real Estate	Consent Order AQD No. 21-2009
Ronald Bogdanski	Consent Order AQD No. 22-2009
Commercial Steel Corporation	Consent Order AQD No. 23-2009
Fiberglass Composites	Consent Order AQD No. 1-2010
AW Technical Center USA, Inc.	Consent Order AQD No. 2-2010
NJT Enterprises, LLC	Consent Order AQD No. 3-2010
Premier Finishes, LLC	Consent Order AQD No. 4-2010
Absolutely the Best Cleaners	Consent Order AQD No. 5-2010
R Wells Contracting Corporation	Consent Order AQD No. 6-2010
Mich. Department of Corrections, Florence Crane	Consent Order AQD No. 7-2010
Harland's Sanitary Landfill, Inc.	Consent Order AQD No. 8-2010
Severstal Dearborn, Inc.	Consent Order AQD No. 9-2010
Jack's Excavating and Trucking, LLC	Consent Order AQD No. 10-2010
<i>continued on next page</i>	

<b>Company Name</b>	<b>Corrective Actions</b>
JCB Land V, LLC	Consent Order AQD No. 11-2010
Pavilion Township	Consent Order AQD No. 12-2010
Michigan State University, Physical Plant Div.	Consent Order AQD No. 13-2010
Ford Motor Company	Consent Order AQD No. 14-2010
Balkema Excavating, Inc.	Consent Order AQD No. 15-2010
Omnisource Corporation	Consent Order AQD No. 16-2010
Presidential Home and Saine Environmental	Consent Order AQD No. 17-2010
MEP Construction, LLC	Consent Order AQD No. 18-2010
Hi-Tech Coatings, Inc.	Consent Order AQD No. 19-2010

- G)** The total number of inspections was 1,556. The number of inspections done for ROP sources was 257. The number of inspections of non-ROP sources was 1,299.
- H)** A total of 1,254 complaints were received during FY 2010. All complaints were logged, prioritized, evaluated, and resolved according to AQD's procedures. A complaint is considered resolved if the problem has been abated, a Violation Notice requesting a compliance program has been sent, the district staff was not able to verify the problem, or the complaint was not under the AQD's jurisdiction and a referral was made to the appropriate agency. An on-site inspection was conducted for approximately 42 percent of the complaints. A telephone call or letter followed up the other complaints.
- I)** The following represents the number of contested case hearings and civil actions initiated and completed, and the number of voluntary consent orders, administrative penalty orders, and emergency orders entered or issued for Title V sources:

<b>Enforcement</b>	<b>Total Number</b>
Hearings	1
Civil Actions	1
Consent Orders	26
Administrative Orders	0
Emergency Orders	0

- J)** Revenue in the fund at the end of FY 2010 was \$1,414,048.

The information on the following page is required by Section 5522(10) of Act 451.

**AQD EXPENDITURES BY FUND AND PROGRAM FUNCTION:**

<b>Program Function</b>	<b>General and Other Funds Total</b> (See Chart Below) 37%	<b>EPA Grants</b> 29%	<b>Air Fees</b> 34%	<b>Total</b> 100%
Permit Section	\$2,544,060 (30%)	\$365,810 (6%)	\$1,842 (0%)	\$2,911,712 (13%)
Enforcement Unit	\$382,731 (4%)	\$38,158 (1%)	\$562,585 (7%)	\$983,474 (4%)
Field Operations	\$2,280,617 (27%)	\$1,583,376 (24%)	\$6,754,171 (86%)	\$10,618,163 (46%)
Air Quality Evaluation Section	\$2,141,211 (25%)	\$4,295,765 (65%)	\$188,154 (2%)	\$6,625,131 (29%)
Administration	\$1,242,994 (14%)	\$317,651 (5%)	\$322,011 (4%)	\$1,882,656 (8%)
Total AQD Expenditures	\$8,591,613 (100%)	\$6,600,760 (100%)	\$7,828,763 (100%)	\$23,021,136 (100%)
Revenues Appropriated	\$8,614,530	\$6,801,500	\$8,019,360	\$23,435,390

**GENERAL AND OTHER FUNDS DETAILS:**

<b>Program Function</b>	<b>General Fund</b>	<b>Refined Petroleum Fund</b>	<b>Dry Cleaning License Fees</b>	<b>Oil &amp; Gas</b>	<b>Env. Response Fund</b>	<b>Total</b>
Permit Section	\$2,316,674	\$203,086		\$24,300		\$2,544,060
Enforcement Unit	\$222,075	\$160,509	\$147			\$382,731
Field Operations	\$1,213,026	\$720,184	\$198,625	\$45,433	\$103,349	\$2,280,617
Air Quality Evaluation Section	\$974,171	\$1,131,660	\$60	\$35,320		\$2,141,211
Administration	\$587,054	\$642,912	\$10,098	\$1,488	\$1,442	\$1,242,994
Total AQD Expenditures	\$5,313,000	\$2,858,351	\$208,930	\$106,541	\$104,791	\$8,591,613
Revenues Appropriated	\$5,313,000	\$2,873,300	\$208,930	\$110,400	\$108,900	\$8,614,530

Note that additional non-Air Quality fee expenditures, included in the Administration total above, were as follows: Office of Pollution Prevention and Compliance Assistance, \$207,555; DNRE and the Department of Technology, Management and Budget Indirect, \$459,754; and Civil Service charges, \$140,292. The Michigan Economic Development Corporation, Small Business Ombudsman, was not funded in FY 2010.